IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE EIGHTEENTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 21090 of 2004

Between:

K. Dhananjaya, S/o. K. Balakistaiah,
Sri Sairam Vidyanilayam, Singotam, Mahaboobnagar District.

..... PETITIONER

AND

1 The District Educational Officer, Mahaboobnagar District.
2 The Commissioner & Director of School Education, Saifabad,

Hyderabad, rep. by its High Level Committee.
3 The Government of A.P., rep. by its Secretary,
School Education Department, Secretariat, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate writ, order or direction more particularly in the nature of writ of Mandamus declaring the action of the respondents not releasing or issuing orders of sanction of Grant-in-aid to the petitioner on par with other candidates working in the petitioner's school without stating any reasons is illegal, arbitrary and violation of Government orders and Article 14 & 21 of the Indian Constitution and consequently direct the respondents to release the Grant-in-aid.

Counsel for the Petitioner: MR.KOONA REDDY ANJI REDDY

Counsel for the Respondents: GP FOR FORESTS

The Court made the following :

ORDER:

The petitioner contends that he is working as a teacher since 1989. He claims that his appointment as a Secondary Grade teacher in unaided vacancy was approved by the 1st respondent-District Educational Officer, Mahabubnagar District through proceedings in R.C.No.C1/16389/96, dated 07-05-1999. When there was a delay for the approval of the posting of the petitioner to grant-in-aid post, he approached this Court through a writ petition No.8431 of 2002 and this Court by an order dated 20-08-2002, directed the respondents to place the matter before the high level committee within a period of two months and pass orders. As a result of which the Deputy Educational Officer, Nagarkurnool submitted a report on 09-05-2003 for admission of the petitioner also as a 4th candidate for the grant-in-aid post. The 1st respondent also issued proceedings in R.C.No.C3/6892/2001 dated 18-06-2003 clarifying that the petitioner is working as a teacher in the said school and requested to consider the case of the petitioner for grant-in-aid post.

The grievance of the petitioner is that the respondents 2 and 3 did not pass any orders on the recommendation made by the 1st respondent and it is pending since then. The petitioner therefore approached this Court through this writ petition seeking a direction to the respondents to release the grant-in-aid regarding the post held by the petitioner.

Having regard to the circumstances explained by the petitioner, respondents 2 and 3 are directed to pass appropriate orders on the report submitted by the 1st respondent on 18-06-2003 for sanction of one more Secondary Grade Teacher post in the school in which the petitioner is working, within a period of three months from the date of receipt of a copy of this order.

The writ petition is accordingly disposed of. No order as to costs.

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18-11-2004

vs

To

1 The District Educational Officer, Mahaboobnagar District.
2 The Commissioner & Director of School Education, Saifabad,

Hyderabad, rep. by its High Level Committee.

3 The Secretary, Government of A.P.,
School Education Department, Secretariat, Hyderabad.

4 2CCs to the G.P for Forests, High Court Buildings,

Hyderabad(O.U.T).

5 2CD copies.